



THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 1634

DAE
§
JRW

In re

Patent Application of

Eric Henderson, et. al.

Application No. 09/929,865

Confirmation No. 8708

Filed: August 14, 2001

Examiner: Betty J. Forman

"NANOSCALE MOLECULAR ARRAYER"

PETITION UNDER 37 C.F.R. 1.313 FOR WITHDRAWAL
OF APPLICATION FROM ISSUE

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicant respectfully requests withdrawal of the above-identified patent application from issue. The issue fee for the present application was paid on November 29, 2005. The patent is set to issue on March 7, 2006 as U.S. Patent No. 7,008,769.

On January 26, 2006, we received a Supplementary Search Report in a related European patent application, namely European Patent Application No. 01993149.2. Applicants wish to have the nine references cited in the European Supplementary Search Report evaluated and included as part of the record for the present application.

The Applicant is petitioning withdrawal of the present patent application from issuance to permit consideration of an information disclosure statement under 37 C.F.R. 1.97 in a request for

03/06/2006 HALI11 00000011 09929865

01 FC:1464

130.00 DP

continued examination (RCE) under 37 C.F.R. 1.114, both of which are being submitted herewith.

Also enclosed is a check for \$130 in payment of the petition fee under 37 C.F.R. §1.17(h) and a check for \$395 in payment of the RCE fee under 37 C.F.R. §1.17(e).

Please charge or credit deposit account number 13-3080 for any shortage or overpayment of fees associated with this petition.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nicole J. Einerson', with a long horizontal flourish extending to the right.

Nicole J. Einerson
Reg. No. 57,973

Docket No.: 016348-9005-00
Michael Best & Friedrich LLP
One South Pinckney Street
P. O. Box 1806
Madison, WI 53701-1806
(262) 956-6507